

Law Office of Kevin L. Hernandez

2879 St. Rose Parkway, Suite 130A

Henderson, Nevada 89052

(702) 563-4450 FAX: (702) 552-0408

Kevin L. Hernandez, Esq.
Nevada Bar No. 12594
**LAW OFFICE OF KEVIN L.
HERNANDEZ**
2879 St. Rose Parkway, Suite 130A
Henderson, NV 89052
P: (702) 563-4450
F: (702) 552-0408
kevin@kevinhernandezlaw.com
Attorney for plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EDWARD N. SMITH, an individual;

Plaintiff,

v.

U.S. BANK, N.A., a national banking
association doing business as ELAN
FINANCIAL SERVICES; BMW FINANCIAL
SERVICE N.A., LLC, a foreign limited liability
company; FRY'S ELECTRONICS, INC. dba
FIRST ELECTRONIC BANK, a foreign
corporation; EQUIFAX, INC., a foreign
corporation; EXPERIAN INFORMATION
SOLUTIONS, INC., a foreign corporation;

Defendants.

Case No.: 2:15-cv-02207-RFB-PAL

**STIPULATION AND ORDER FOR
DISMISSAL OF BMW FINANCIAL
SERVICE N.A., LLC WITH PREJUDICE**

Plaintiff, Edward N. Smith, and Defendant BMW Financial Service N.A., LLC ("BMW Financial") (collectively referred to as "Parties") stipulate and agree, by and through their respective attorneys of record, and subject to the court's approval, that pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the above-captioned matter is hereby dismissed with

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prejudice as to BMW Financial, with each party bearing their own attorneys' fees and costs incurred herein.

RESPECTFULLY SUBMITTED.

DATED this 17th day of February, 2016.

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HOLLAND & HART LLP


/s/ Kevin L. Hernandez
Kevin L. Hernandez, Esq.
Nevada Bar No. 12594
2879 St. Rose Parkway, Suite 130A
Henderson, NV 89052
Attorneys for plaintiff

/s/ Patrick J. Reilly
Patrick J. Reilly, Esq.
Nevada Bar No. 6103
Andrea M. Champion, Esq.
Nevada Bar No. 13461
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
*Attorneys for BMW Financial Service, N.A.,
LLC*

**ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT BMW FINANCIAL
SERVICE N.A., LLC**

Pursuant to the stipulation of plaintiff and BMW Financial under FRCP 41(a), defendant BMW Financial shall be dismissed with prejudice, and each party shall bear their own attorneys' fees and costs.

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
United States District Judge
DATED: February 21, 2016.

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